



W.P(MD)No.19187 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2023

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

W.P(MD)No.19187 of 2023

M.Muthamizhselvan

... Petitioner

Vs.

1.The District Collector

Madurai District,
Madurai.

2.The Commissioner

Madurai Corporation,
Aringar Anna Maligai,
Madurai.

3.The Commissioner of Police

Madurai City,
Madurai.

4.The Inspector of Police

Karimedu Police Station,
Madurai.



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5. Shanmugavel

The President,

Madurai Illathupillaimar Sangam Ponvizha Mandapam,

D.No.37, 1st Street, Azhagaradi,

Madurai.

.. Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the official respondents 1 to 4 to take action against the marriage hall named as Madurai Illathupillaimar Sangam Ponvizha Mandapam run by the fifth respondent situated at Door No.37, First Street, Azhagaradi, Madurai, and cancel the license for non compliance of the statutory requirement and for causing pollution and encroachment of the public road based on the petitioner's representation, dated 08.06.2023.

For Petitioner : Mr.G.Radhakrishnan

For Respondents : Mr.P.Thilak Kumar - for R1 & R4

Government Pleader

Mr.S.Vinayak - for R2 & R3

Mr.T.J.Ebenezer Charles - for R5



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ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Heard Mr.G.Radhakrishnan, learned counsel for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 and 4, Mr.S.Vinayak, learned counsel appearing for respondents 2 and 3 and Mr.T.J.Ebenezer Charles, learned counsel appearing for the fifth respondent.

2. The petitioner has objection to the fifth respondent to run a Mandapam at Door No.37, First Street, Azhagaradi, Madurai.

3. According to the learned counsel for the petitioner, without permission the respondent No.5 is operating the Mandapam. The School is situated adjacent to the said Mandapam. The petitioner was admitted in the nearby hospital due to cardiac arrest and the nuisance of the respondent No.5 was such that the noise was unbearable.

4. According to the learned counsel for the fifth respondent, the Mandapam is situated 5 kms. away from the residence of the



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petitioner. The license is obtained from the Municipal Administration.

The said license is valid upto 31st March, 2024.

5. The learned counsel for the respondent Corporation also submits that the fifth respondent has been issued with necessary license effective from 26th May, 2023.

6. Be that as it may, the fifth respondent is now having the license and the said license is not the subject matter of challenge.

7. It is only for an aggrieved party to challenge the license in accordance with law.

8. The Writ Petition stands disposed of. No costs.

[S.V.G., C.J.]

[C.K., J.]

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Index : Yes / No
Neutral Citation : Yes / No
RM



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THE HONOURABLE CHIEF JUSTICE
and
C.KUMARAPPAN, J.

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